

**PLANNING AND ZONING
MARCH 4, 2014
MINUTES**

The regular meeting of the Planning and Zoning Commission was called to order by Chairman Richard McNeese at 5:45 p.m. on March 4, 2014, in the Precouncil Conference Room of City Hall, 201 North Ector Drive. Those present included Vice Chairman Troy Mennis, Commission Members Ken Olmstead, LuAnn Portugal, and Jeremy Tompkins.

During the Precouncil meeting:

- Director of Planning and Economic Development Collins reviewed the regular agenda items.
- Director of Planning and Economic Development Collins gave an update on the Glade Parks Development Project.

PLANNING AND ZONING CONSIDERATION OF SCHEDULED ITEMS – COUNCIL CHAMBERS

The Euless Planning and Zoning continued their meeting in the Council Chambers at 6:33 p.m. for consideration of scheduled items.

MEMBERS AND STAFF PRESENT:

Chairman Richard McNeese
Vice Chairman Troy Mennis
Commissioner Ken Olmstead
Commissioner LuAnn Portugal
Commissioner Jeremy Tompkins
Hal Cranor, Director of Public Works
Mike Collins, Director of Planning and Economic Development
Paul Smith, Fire Marshal
Alicia Davenport, Administrative Secretary

MEMBERS ABSENT:

Commissioner George Zahn
Commissioner David Brown

VISITORS:

THE INVOCATION AND THE PLEDGE OF ALLEGIANCE: The Invocation was given by Commissioner Tompkins and the Pledge of Allegiance was given by Chairman McNeese.

ITEM 1 CONSIDER APPROVAL OF PLANNING AND ZONING MINUTES
Regular Meeting of February 18, 2014.

Vice Chairman Mennis made a motion to approve the minutes for called meeting of February 18, 2014. Commissioner Portugal seconded the motion. The vote was as follows:

Ayes: Vice Chairman Mennis, Commissioners Olmstead, Portugal, and Tompkins.

Nays: None

Abstention: Chairman McNeese

The motion carried: (4-0-1)

ITEM 2 CASE #13-07-PP - CONSIDER APPROVAL OF PRELIMINARY PLAT

Consider a request for a Preliminary Plat changing 1.693 acres of land located in the B. Harrington Survey, Abstract 808, 2907 Baze Road to the Camden Park Addition.

Mike Collins, Director of Planning and Economic Development, gave a brief description of the case. The applicant proposes to preliminary plat the 1.693 acres for eight (8) single family detached dwelling units. The Planning and Zoning Commission held a public hearing on November 5, 2013 and recommended approval of the Planned Development (PD) Zoning. The City Council approved the PD on November 12, 2013.

The plat indicates the setback distances as required by the conditions of the Planned Development zoning ordinance.

The Development Services Group has reviewed the proposed Preliminary Plat and has certified that it meets the technical standards of the City of Euless. Staff recommends approval.

There were no questions or comments presented by the Commission.

Commissioner Tompkins made a motion to approve case #13-07-PP. Vice Chairman Mennis seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Mennis, Commissioners Olmstead, Portugal, and Tompkins.

Nays: None

Abstention: None

The motion carried: (5-0-0)

ITEM 3 CASE #14-02-SP - CONSIDER A REQUEST FOR A SITE PLAN

Motion to recommend approval of a request for a Site Plan for Commercial Development located on Block 1, Lot 4R Westpark Central Addition, 200 Westpark Way.

Mike Collins, Director of Planning and Economic Development, gave a brief description of the case. The building at 200 Westpark Way was originally constructed as a drive-through bank. The applicant and property owner, Sal Alfieri, intends to redevelop the site as an Italian pizzeria. The plan indicates that an additional eight hundred (800) square feet will be added to the west side of the existing structure and the drive through area will be reconfigured for parking.

Mr. Alfieri intends to also construct a patio on the front of the building facing the street to create an outdoor dining experience. There is existing landscaping and sidewalk in front of the building. The new construction will be one hundred percent masonry and will enhance the building to indicate that it is a restaurant.

The Development Services Group has certified that the site plan is in accordance with the requirements of the City of Eules.

Staff recommends approval of the site plan.

There were no questions or comments presented by the Commission.

Vice Chairman Mennis made a motion to approve case #14-02-SP. Commissioner Olmstead seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Mennis, Commissioners Olmstead, Portugal, and Tompkins.

Nays: None

Abstention: None

The motion carried: (5-0-0)

ITEM 4 HOLD PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 14-01-SUP, AND CONSIDER RECOMMENDATION FOR AN ORDINANCE

Receive public input regarding the request for a Specific Use Permit for Vehicle Towing and Storage proposed to be located on L.W. Lewellyn Addition Phase 2, Block 1, Lot 2R1, 2800 S. Pipeline Road, W. and consider recommendation for an Ordinance.

Chairman McNeese opened the public hearing.

Mike Collins, Director of Planning and Economic Development, gave a brief description of the case. Capital Tow would like to lease out the building located at 2800 S. Pipeline Road, W. in order to operate a vehicle towing and storage facility. The facility would be used to store vehicles that have been removed from private properties that contract with Capital Tow for vehicle removal.

The Heavy Industrial District (I-2) allows for the use of vehicle storage with a Specific Use Permit. The business owners have stated in their application that the facility would allow the company to operate within the City of Euless Vehicle Towing and Non-consent Tows ordinance under Chapter 90 of the City Code of Ordinances. This ordinance limits the distance from the City of Euless in which towed vehicles may be removed from the City. Additionally, the facility will maintain a licensed individual to operate the business twenty-four hours a day, seven days a week.

The site is an existing building with a fenced area around the rear portion of the site. The applicant intends to ensure appropriate fire and police access to the facility. They intend to store between 55 and 75 vehicles in the back parking area of the building. The company states that no car would be stored greater than sixty days on the site.

Staff recommends approval with the following conditions:

1. The Specific Use Permit is tied to the business owner Lawrence Case; and,
2. The Specific Use Permit is tied to the Business Name: Capital Tow, Inc.; and,
3. The facility shall be operated under all requirements as stated under Chapter 90 Vehicles For Hire of the City of Euless Code of Ordinances, as amended; and,
4. The Specific Use Permit may be revoked if one or more of the conditions imposed by this permit has not been met or has been violated.

Chairman McNeese asked if there were any proponents/opponents. Seeing none, the public hearing was closed.

Vice Chairman Mennis asked the applicant about any upgrades to the landscaping, upgrades to the external façade of the building, and for information about the screening wall.

Mr. Lawrence Case, [REDACTED], explained that since he is not the property owner he has no plans for landscaping or for external façade updates.

Commissioner Tompkins asked for clarification on his business as it pertains to the storage and transport of vehicles.

Mr. Case explained the company process as it is directed by the State and Capital Tow policy; mandatory twenty four hour notification to vehicle owners and all lien holders, second notification at thirty five days to vehicle owner and all lien holders, unclaimed after forty five days are now the property of Capital Tow and will be transported to their Dallas location for auction. Cars will only be stored in Euless for a maximum of sixty days. Capital Tow is a contract only tow company. They contract with residential apartment communities and tow only where contracted.

Commissioner Portugal asked for clarification on the time limits that Capital Tow would be in this location.

Mr. Case stated that they will only be at this location for a maximum of up to two years based on the fact that it is not a large enough facility for a permanent site and they are currently seeking a permanent location to build at.

Commissioner Olmstead stated that he is not supporting this application based on the physical appearance of the rental location being in such disrepair and the nature of towing business. Commissioner Olmstead stated that if Capital Tow could provide a substantial improvement to the property he would consider their case at a future date. With the possibility of declining property values he feels that he needs to give consideration to the surrounding property owners.

Mr. Case stated that since he is not the property owner he cannot commit to improving the façade of the facility, but he would be willing to do some temporary cosmetic improvements to the landscaping, such as potted plants, etc. He stated that he would be willing to change the fencing to a solid metal fence in any color with a more decorative look. He stated that the new owner of the building is working to improve the internal portions of the building and is not willing to change the outside of the building at this time.

Several Commissioners discussed tabling the case until an agreement could be met with the property owner and applicant.

There were no further questions or comments presented by the Commission.

Vice Chairman Mennis made a motion to deny case #14-01-SUP. Motion seconded by Commissioner Olmstead. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Mennis, Commissioners Olmstead, and Tompkins.

Nays: Commissioner Portugal

Abstention: None

The motion carried: (4-1-0)

There being no further business the meeting was adjourned at 7:22 p.m.

Chairman McNeese

Date